

## Message Text

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PAGE 01 TEL AV 02385 051654Z  
ACTION NEA-10

INFO OCT-01 AF-08 EUR-12 IO-13 ISO-00 CU-02 MCT-01  
CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00  
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R 051434Z APR 77  
FM AMEMBASSY TEL AVIV  
TO SECSTATE WASHDC 5576  
INFO AMEMBASSY BONN  
AMEMBASSY LONDON  
AMEMBASSY NAIROBI  
AMEMBASSY AMMAN  
AMEMBASSY CAIRO

C O N F I D E N T I A L TEL AVIV 2385

E.O. 11652: GDS  
TAGS: PFOR, PINS, IS, GW  
SUBJECTC DETENTION IN ISRAEL OF GERMAN STUDENTS ARRESTED IN KENYA

REFS: (A) TEL AVIV 2222  
(B) TEL AVIV 2269  
(C) NAIROBI 4174

SUMMARY: THE GERMAN EMBASSY IS DISTURBED THAT ISRAELIS  
HELD TWO GERMAN STUDENTS INCOMMUNICADO FOR MORE  
THAN A YEAR. ALTHOUGH KNOWN AS POLITICAL ACTIVISTS,  
THE STUDENTS HAD NO RECORD OF  
BEING ASSOCIATED WITH TERRORISTS. THE ISSUE POSES  
A DILEMMA FOR THE GERMANS WHO SEEK TO PROTECT THE  
RIGHTS OF THEIR CITIZENS, BUT DO NOT WANT TO APPEAR  
AS PROTECTORS OF TERRORISTS. END SUMMARY.

1. THE ISRAELI PRESS APRIL 4 NOTED PROMINENTLY THE  
VISIT OF THE PARENTS OF BRIGITTA SCHULTZ, ONE OF  
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THETWO WEST GERMAN STUDENTS ARRESTED IN KENYA IN  
JANUARY 1976, AND ACCUSED OF BELONGING TO A PLO TERRORIST  
GROUP WHICH SOUGHT TO ATTACK EL AL PLANES. THEY  
WERE LATER TRANSFERRED, TOGETHER WITH THREE PALESTINIANS,  
TO ISRAEL WHERE THEY HAVE BEEN HELD IN  
SECRET DETENTION FOR OVER A YEAR.

2. THE PARENTS DECLARED IN A PRESS INTERVIEW THAT THEY CONSIDERED THE TWO STUDENTS INNOCENT AND THAT UNTIL JANUARY 1977 THEY HAD NOT BEEN ABLE TO OBTAIN ANY CONFIRMATION OF THEIR DAUGHTER'S WHEREABOUTS, ALTHOUGH THEY HAD BEEN NOTIFIED LAST AUGUST BY ANONYMOUS LETTER THAT SHE WAS IN ISRAEL. THE PARENTS ALSO HINTED AT TORTURE AND PSYCHOLOGICAL PRESSURES BROUGHT ON THE DETAINEES TO MAKE THEM CONFESS.

3. THE CHIEF OF THE CONSULAR SECTION OF THE GERMAN EMBASSY (REYELS) TOLD US THAT BRIGITTA SCHULTZ AND THOMAS REUTER, THE TWO STUDENTS, HAD ARRIVED IN NAIROBI TWO OR THREE DAYS AFTER THE ARREST OF THE THREE PALESTINIAN TERRORISTS WHO HAD PLANNED ATTACKS ON EL AL PLANES (REFTEL A). THEY HAD BEEN DETAINED BY THE KENYAN AUTHORITIES WHEN THEY INQUIRED ABOUT CONTACTING THE ARRESTED PALESTINIANS. ALTHOUGH THE TWO HAD ADMITTEDLY BEEN ACTIVE IN LEFT WING GERMAN STUDENT CIRCLES, REYELS CLAIMS THAT THEY HAD NO POLICE RECORDS OR RECORDS OF ASSOCIATION WITH EXTREMIST GROUPS. ISRAELI "OFFICIAL" SOURCES, HOWEVER, HAVE TOLD THE PRESS THAT REUTER AND SCHULTZ HAD LINKS WITH THE BADER-MEINHOF GANG.

4. THE GERMAN EMBASSY HERE IS IN A DILEMMA. ON THE ONE HAND, IT DOES NOT WANT TO APPEAR TO BE PROTECTING TERRORISTS, ESPECIALLY THOSE HAVING PLOTTED AGAINST ISRAEL. ON THE OTHER HAND, IT IS DEEPLY ANNOYED THAT THE GOI HAD PERSISTENTLY REFUSED TO CONFIDENTIAL

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ACKNOWLEDGE THE DETENTION OF THE TWO STUDENTS, DESPITE NUMEROUS INQUIRES. THE EMBASSY ALSO OBJECTS THAT THE ISRAELI EMBASSY IN BONN HAD NOTIFIED THE PARENTS OF THE STUDENTS IN FEBRUARY, WHILE THE ISRAELI AUTHORITIES HERE CONTINUED TO INSIST TO THE GERMAN EMBASSY THAT THEY WERE IGNORANT OF THE AFFAIR. THE GERMANS FEEL THAT THERE ALSO MAY HAVE BEEN AN ELEMENT OF IMPROPER THREAT IN THE ISRAELI WARNING TO THE PARENTS NOT TO PUBLICIZE THEIR STORY. THE GOI HAD CONTACTED THE PARENTS AND ADMITTED ITS DETENTION OF THE TWO STUDENTS ALLEGEDLY ONLY AFTER THE LAWYERS FOR THE ACCUSED, "DESCRIBED AS ANTI-ISRAELI SOURCES," HAD THREATENED TO LAUNCH AN INTERNATIONAL CAMPAIGN.

5. A FURTHER GERMAN COMPLAINT IS THAT THE ISRAELI HAD USED VAGUE REFERENCES TO THE POLITICAL AND INTELLIGENCE ASPECTS OF THE CASE--INCLUDING THE NEED TO PROTECT KENYA'S ROLE IN THIS AFFAIR---TO PARRY ALL QUESTIONS REGARDING THE LEGALITY OF HOLDING THE CITIZENS OF A

FRIENDLY COUNTRY INCOMMUNICADO FOR MORE THAN A YEAR AND OF PREVENTING CONSULAR ACCESS TO THEM.

6. COMMENTING ON THE TREATMENT OF THE PRISONERS, REYELS SAID THAT THE TWO STUDENTS APPEARED IN GOOD PHYSICAL CONDITION. MISS SCHULTZ ACKNOWLEDGED HAVING RECEIVED DETAILED WRITTEN CHARGES, BUT REUTER DENIES HAVING SEEN THE FULL CHARGES AGAINST HIM. ASIDE FROM THREATS OF LONG PRISON TERMS AND LONG INTERROGATIONS, NO PHYSICAL VIOLENCE HAD APPARENTLY BEEN USED AGAINST THEM SINCE THEIR TRANSFER TO ISRAELI CUSTODY.

7. THE GERMAN EMBASSY HAS NOT YET SEEN THE CHARGES AND SAYS THAT NO TRIAL DATE HAS BEEN FIXED. WHILE THE EMBASSY HAS REQUESTED A PUBLIC TRIAL, THE ISRAELIS HAVE THUS FAR INSISTED ON A SECRET TRIAL. THE ISRAELIS CLAIM THAT THE TESTOMONY OF THE TWO STUDENTS  
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HAD INCRIMINATED DUTCH STUDENT LUDVINA JANSSES, CONVICTED ON MARCH 3 OF HAVING COME TO ISRAEL ON A SPY MISSION FOR THE PLO. EVEN THOUGH THAT TRIAL HAD BEEN PUBLIC, KEY TESTIMONY HAD COME FROM "INTELLIGENCE SOURCES" WHICH COULD NOT BE CROSS-EXAMINED BY THE DEFENSE. THE GERMANS FEEL THAT THE EFFECTIVENESS OF A DEFENSE LAWYER IN EITHER A PUBLIC OR CLOSED TRIAL WOULD BE LIMITED. HOWEVER, THEY HOPE THAT AS A FOLLOW-UP TO FOREIGN MINISTER GENSCHER'S VISIT TO ISRAEL, THE GOI WILL BE MORE FORTHCOMING IN REVEALING THE BASIS OF ITS CHARGES AND IN THE CONDUCT OF THE TRIAL.  
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